

UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF

FILED

2005 MAY 18 A 9 15

CLERK, US DIST. COURT
EASTERN DIST. OF CALIF
AT FRESNO

BY

DEPHY JO

LAMAR DE SHONE SIMMS,

No. 05-15709

D.C. No. CV-97-05311-LJO

Plaintiff - Appellant,

v.

JAMES GOMEZ,

ORDER

Defendant,

and

RONALD P. ATKINSON,

Defendant - Appellee.

This appeal has been taken in good faith []

This appeal is not taken in good faith []

Explanation: A factual issues was determinative of the case. The jury made that determination adverse to the plaintiff, basing much evidence upon which to make that call.

Lanigan
Judge

United States District Court

Date: May 17, 2005